

**Alison Kean Campbell, Metro Attorney**  
**METRO**

**Michelle A. Bellia**, OSB No. 994871

[michelle.bellia@oregonmetro.gov](mailto:michelle.bellia@oregonmetro.gov)

Senior Attorney

Office of Metro Attorney

600 NE Grand Avenue

Portland, OR 97232-2736

Telephone: 503-797-1526

Facsimile: 503-797-1792

Attorneys for Defendant Metro

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

**KATHERINE BLUMENKRON**, an individual;  
**DAVID BLUMENKRON**, an individual;  
**SPRINGVILLE INVESTORS, LLC**, a limited  
liability company,

**Plaintiffs,**

**v.**

**Case No. CV 12-351-BR**

**METRO DEFENDANTS' NOTICE  
PURSUANT TO LOCAL RULE 42-2**

**BARTON EBERWEIN**, in his official capacity  
as member of the Land Conservation &  
Development Commission; **HANLEY  
JENKINS**, in his official capacity as member of  
the Land Conservation & Development  
Commission; **TIM JOSI**, in his official capacity  
as member of the Land Conservation &  
Development Commission; **GREG  
MACPHERSON**, in his official capacity as  
member of the Land Conservation &  
Development Commission; **CHRISTINE M.  
PELLETT**, in her official capacity as member of  
the Land Conservation & Development  
Commission; **TED WHEELER**, in his official  
capacity as member of the Land Conservation &  
Development Commission; **JOHN**

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Page 1 METRO DEFENDANTS' NOTICE PURSUANT TO LOCAL  
RULE 42-2

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Office of Metro Attorney  
600 NE Grand Avenue  
Portland OR 97232-2736  
Tel 503-797-1530 | Fax 503-797-1792

**VANLANDINGHAM**, in his official capacity as member and chair of the Land Conservation & Development Commission; **MARILYN WORRIX**, in her official capacity as member and vice-chair of the Land Conservation & Development Commission; **DAVID BRAGDON**, in his official capacity as a council president of Metro; **SHIRLEY CRADDICK**, in her official capacity as a councilor of Metro; **CARLOTTA COLLETTE**, in her official capacity as a councilor of Metro; **CARL HOSTICKA**, in his official capacity as a councilor of Metro; **KATHRYN HARRINGTON**, in her official capacity as a councilor of Metro; **REX BURKHOLDER**, in his official capacity as a councilor of Metro; **BARBARA ROBERTS**, in her official capacity as a councilor of Metro; and **MULTNOMAH COUNTY**,

**Defendants.**

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Pursuant to LR 42-2, counsel for the Metro Defendants<sup>\*</sup> brings to the Court's attention a potentially related case: Case No. 3:12-cv-00939-SI Exit 282A Development Company, LLC et al. v. Marilyn Worrix, et al. ("Exit 282A Case"). In the Exit 282A Case, plaintiffs allege that defendants, identified as (1) members of the Oregon Land Conservation and Development Commission, (2) Metro Councilors, (3) Clackamas County and (4) members of the Clackamas County Board of Commissioners, violated their rights under the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution and the Equal Protection guarantee found in the Oregon State Constitution. Plaintiffs in the 282A Case maintain that defendants' designation of plaintiffs' property as a rural reserve, despite the fact that plaintiffs' property "qualified" as an urban reserve, was irrational and without legal basis. Plaintiffs further maintain that defendants based their intentional decisions on political objectives.

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<sup>\*</sup> The Metro Defendants are David Bragdon, Shirley Craddick, Carlotta Collette, Carl Hosticka, Kathryn Harrington, Rex Burkholder, and Barbara Roberts.

Dated this 22<sup>nd</sup> day of June 2012.

Respectfully submitted,

METRO

By: s/ Michelle A. Bellia  
**Michelle A. Bellia**, OSB No. 994871  
[Michelle.Bellia@oregonmetro.gov](mailto:Michelle.Bellia@oregonmetro.gov)  
Metro  
Office of Metro Attorney  
600 NE Grand Avenue  
Portland, OR 97232-2736  
Phone: 503-797-1526 Fax: 503-797-1792  
Of Attorneys for Defendants Metro